



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,910	03/13/2001	Ivan Wong Yin Yang	0100.0100380	2786

24228 7590 11/03/2004

MARKISON & RECKAMP, PC  
PO BOX 06229  
WACKER DR  
CHICAGO, IL 60606-0229

EXAMINER

AKLILU, KIRUBEL

ART UNIT	PAPER NUMBER
----------	--------------

2614

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/804,910

Applicant(s)

YANG ET AL.

Examiner

Kirubel Akililu

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/13/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Shoff et al (US Pub # 2001/0001160).

1. Regarding **Claim 1**, Shoff teaches a method of providing an extended electronic program guide, comprising the steps of:  
generating at least one recorded material data base of recorded material (see Fig. 2 database 54, pg 3 [0035]); generating a live

stream data base or using an existent, pre-generated database, with a known format of live stream data (see Fig 2 database 40, pg 3 [0033]); and integrating the live stream data base with the at least one recorded material data base to produce an extended electronic program guide (see Fig. 2 database 46, pg 3 [0034] and Fig.3 pg 3 [0039] and [0040]

). Shoff expressly teaches that the supplemental interactive contents are stored or recorded in database (54). Shoff teaches live stream database (40) which may include programs such as TV shows, movies, games etc. Therefor, the EPG server functions as an integrator for integrating live stream database (database of programs 40) and supplemental interactive database (database 54).

2. As to **claim 2**, Shoff teaches the method according to claim 1, wherein the recorded material includes at least one of: a link to information related to the content of recorded information stream (see pg 3 [0036] "In the implementation described herein, the supplemental content is constructed as a hypertext file which is rendered by a browser"), video streams, still images, audio streams (see pg. 3 [0035] "The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types") and closed captioning information (see pg

3 [0039] "The data fields contain program titles, actor names, whether the program has closed captioning or stereo audio . . .").

3. As to **claim 3**, Shoff teaches the method according to claim 1, wherein the recorded material is material derived from a source of digital data (see pg 3 [0033] "The video data streams are sent to the viewer computing units in digital or analog format.").
4. As for **claim 4**, Shoff teaches the method of claim 1, wherein respective recorded material of a plurality of recorded materials is derived from a respective source of digital data of a plurality of digital data (see pg 3 [0033], [0035] and [0039]).
5. As for **claim 5**, Shoff teaches the method of claim 1, wherein the recorded material data base includes, for predetermined stored recorded material data, identification data, and at least one of optional ones: time recorded, time duration, and actors/actresses (see Fig. 3 pg 3 [0039] Pg 2 [0017]).
6. As for **claim 6**, claim 6 is analyzed with respect to claim 1. All the limitations of claim 6 fall within the limitations of claim 1 and is rejected accordingly.
7. As for **claim 7**, Shoff teaches the system according to claim 6, wherein the recorded material is time-shifted data of predetermined live stream data (see pg 2 [0017]).

8. As for **claim 8**, claim 8 is analyzed with respect to claim 3. All the limitations of claim 8 fall within the limitations of claim 3 and is rejected accordingly.
9. As for **claim 9**, claim 9 is analyzed with respect to claim 4. All the limitations of claim 9 fall within the limitations of claim 4 and is rejected accordingly.
10. As for **claim 10**, claim 10 is analyzed with respect to claim 5. All the limitations of claim 10 fall within the limitations of claim 5 and is rejected accordingly.
11. As for **claim 11**, Shoff teaches a system for providing an extended electronic program guide, comprising: a plurality of digital material data base of digital material (Fig. 2 database 42/52; pg 3 [0033]); and a data base integrator (Fig. 2, EPG server 44) operatively connected to the connected to the a plurality of digital material data base, the integrator producing an extended electronic program guide from the plurality of digital material data bases (see pg 3 [0034], [0035], [0017], [0040]).
12. As for **claim 12**, Shoff teaches the system according to claim 11, wherein the digital material is recorded material that is time-shifted data of predetermined live stream data (see pg. 3 [0033] to [0036]).

13. As for **claim 13**, claim 13 is analyzed with respect to claim 5. All the limitations of claim 13 fall within the limitations of claim 5 and is rejected accordingly.
14. As for **claim 14**, Shoff teaches the system according to claim 11, wherein at least one of the digital material is recorded material that is time shifted data of predetermined live stream data (see pg. 3 [0033] to [0036]).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent #6,642,939, Multimedia Schedule Presentation System, Vallone et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirubel Aklilu whose telephone number is 703-305-8144. The examiner can normally be reached on 9:00AM - 5:30PM.

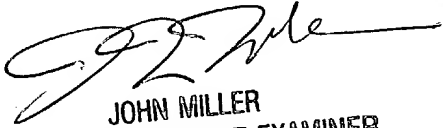
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 703-305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KA

October 26, 2004

  
JOHN MILLER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600